

Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

In the Matter of

Shiqi Chen

Respondent

Civil Citation No. 71186

207 Patapsco Avenue

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Baltimore County Code Enforcement Hearing Officer on December 15, 2009, for a Hearing on a citation for violations of the Baltimore County Code (BCC) section 13-7-310, 312, failure to remove all trash, junk and debris in rear yard on residential property zoned DR 5.5 known as 207 Patapsco Avenue, 21222.

On December 2, 2009, pursuant to § 3-6-205, Baltimore County Code, Inspector Adam Whitlock issued a Code Enforcement citation. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$2,000.00 (two thousand dollars).

The Respondent failed to request a Code Enforcement Hearing and/or failed to appear after requesting a Hearing. Baltimore County Code, § 3-6-205(d) provides that in case of failure to request a Code Enforcement Hearing or if the violator (Respondent) fails to appear after requesting a Hearing then the citation and the civil penalty, shall be the Final Order of the Code Official not subject to appeal.

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. A Correction Notice was issued on November 16, 2009 for removal of trash and debris from rear yard. This Citation was issued on December 2, 2009.

B. Photographs in the file show a pile of junk and debris in the rear yard of this investment property, including several large black plastic garbage bags, old lawn chairs, discarded household items, cardboard boxes and plastic boxes. Reinspection on December 14 found no change. This violates prohibitions against the accumulation of junk, trash and debris on residential property, and prohibitions against creation of possible harborage for rats.

C. Notes in the file state that at least one of the County's notices was returned by the post office. Photograph in the file shows that this Citation was posted on the front door of the house. The house may be vacant.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$500.00 (five hundred dollars).

IT IS FURTHERED ORDERED that the civil penalty will be REDUCED to \$100 if the violations are corrected by January 14, 2010.

IT IS FURTHER ORDERED that if the violation has not been corrected, after January 14, 2010 the County may enter the property for the purpose of removing all junk, trash, and debris from the premises, at Respondent's expense.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty AND any expenses incurred by Baltimore County, as authorized above, shall be imposed and placed as a lien upon the property.

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IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 30th day of December 2009.

Signed: ORIGINAL SIGNED
Margaret Z. Ferguson
Baltimore County Hearing Officer

MZF/jaf